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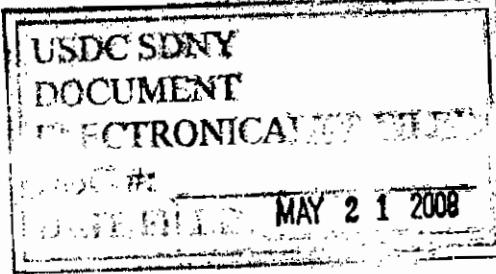
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PLEASE REPLY TO WEST ORANGE



May 21, 2008

VIA FACSIMILE (212-805-0426)

Hon. Laura Taylor Swain, USDI
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: In re DJK Residential LLC, et al.
Civil Docket No.: 08-CV-3738-LTS

Dear Judge Swain:

We represent the Appellant in the above-referenced appeal. A settlement/pre-trial conference is scheduled in this matter for Friday, May 23, 2008. We respectfully request, with the consent of Ashley Parrish, counsel for the Debtors/Appellee, a brief adjournment of the conference for a week or two weeks, to whichever date and time that best fits Your Honor's schedule.

We request the adjournment because the parties have reached in principle a settlement, the only contingent portion of which is the distribution to be made to Appellant under the Debtors' confirmed Plan of Reorganization. We have been advised by Debtors' counsel that the

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distribution is expected to be made by Thursday of this week. If that payment is properly made, the appeal will be dismissed and the conference rendered moot.

Thank you for Your Honor's consideration.

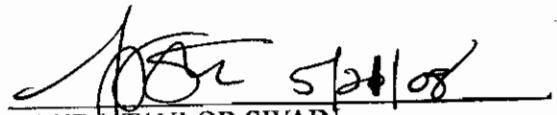
Respectfully,


ROBERT E. NIES

REN/mfg
cc: Ashley C. Parrish, Esq. (via e-mail)

The conference is adjourned to
May 30, 2008, at 9:30 AM.

SO ORDERED.


LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE